

Attorney Docket No.: 66566.01US2

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am an original, first, and joint inventor of the subject matter to which at least one claim is directed and for which a patent is sought on the invention entitled:

### SYSTEM AND METHOD FOR AUTHORIZING AND PROVIDING INFORMATION RELEVANT TO A PHYSICAL WORLD

the specification of which: ☐ is attached hereto.

☒ was filed on:

December 26, 2001

as Application No.:

10/035,952

and was amended on:

(If applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

### Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed	
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>

### Prior Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
<u>60/306,356</u>	<u>July 18, 2001</u>

**Prior United States Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<b>Application Number</b>	<b>Date of Filing (day, month, year)</b>	<b>Status - Patented, Pending, Abandoned</b>

And I hereby appoint Rodger L. Tate, Registration No. 27,399; Anthony W. Shaw, Registration No. 30,104; Cono A. Carrano, Registration No. 39,623; Laurence H. Posorske, Registration No. 34,698; Robert A. King, Registration No. 42,738; and Craig L. Puckett, Reg. No. 43,023, as my attorneys; and Trevor Q. Coddington, Registration No. 46,633, as my patent agent; of BROBECK, PHLEGER & HARRISON LLP, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

All correspondence and telephone communications should be addressed to:

**BROBECK, PHLEGER & HARRISON LLP**  
Intellectual Property Department  
1333 H Street, N.W.; Suite 800  
Washington, DC 20005  
telephone number (202) 220-6000  
facsimile number (202) 220-5200,

which is also the address, telephone and facsimile numbers of each of the above listed attorneys and agent.

**BROBECK, PHLEGER & HARRISON LLP**  
Intellectual Property Department  
1333 H Street, N.W.  
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(202) 220-6000 (telephone); (202) 220-5200 (facsimile)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature



Date 08/21/02

Full Name of  
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Signature



Date

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(First Given Name)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:	)	
	)	
Rozsa KOVESDI and Ajit RAJASEKHARAN	)	Group Art Unit: 2876
	)	
Application Number: 10/035,952	)	Examiner Kumiko C. KOYAMA
	)	
Filed: December 26, 2001	)	Confirmation No. 3522
	)	
For: SYSTEM AND METHOD FOR	)	
AUTHORING AND PROVIDING	)	
INFORMATION RELEVANT TO A	)	
PHYSICAL WORLD	)	

**REQUEST TO RECOGNIZE APPOINTMENT OF A POWER OF ATTORNEY**  
**BY LESS THAN ALL APPLICANTS AND DUAL REPRESENTATION**  
**UNDER MPEP § 402.10 PREVIOUSLY GRANTED BY PETITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Per a telephone conversation on May 6, 2003, between Mr. Ajit Rajasekharan's representative, Trevor Coddington and the Assistant and Supervisory Primary Examiners (the "Examiners") handling the above-captioned patent application, it has come to Mr. Rajasekharan's attention that the United States Patent & Trademark Office (PTO) mistakenly believes that he has revoked his previously appointed representatives and appointed new representatives. Particularly, the Examiners are refusing to discuss the instant application with his representatives at Hunton & Williams LLP (Coddington *et al.*) apparently due to an assumption that Mr. Rajasekharan has revoked his previous appointment of Coddington *et al.* and appointed new representatives at Pennie & Edmonds LLP. Mr. Rajasekharan submits that such an assumption is erroneous and respectfully requests that the PTO recognize Coddington *et al.* as his own separate representation vis-à-vis Ms. Rozsa Kovesdi's appointed representatives and enforce dual party representation as set forth under MPEP § 402.10 to assure that all interests in the instant application are properly and effectively represented.

To summarize the relevant procedural history of the instant patent application, Mr. Rajasekharan submitted on August 23, 2002, a Declaration and Power of Attorney appointing Trevor Coddington and Rodger Tate along with others at Brobeck, Phleger & Harrison LLP as his representatives.<sup>1</sup> A Petition under 37 C.F.R. § 1.182 was concurrently submitted therewith requesting the PTO to accept Mr. Rajasekharan's appointment of representation and require that a representative of Ms. Kovesdi and a representative of Mr. Rajasekharan must both sign any subsequent replies to the PTO in accordance with MPEP § 402.10. Copies of these two documents are attached. Mr. Rajasekharan's petition was granted in a Decision (paper no. 12) mailed September 17, 2002, a copy of which is also attached.

Sometime in or around March of 2003, Ms. Kovesdi revoked her formerly appointed representative, Gary Jarosik of Altheimer & Gray, and appointed new representatives at Pennie & Edmunds LLP. Mr. Rajasekharan and his representatives, Coddington *et al.*, are currently not privy to the specifics of such a revocation and appointment due to the Examiners' position that they could not discuss or provide information concerning the instant application with Trevor Coddington. Nonetheless, Mr. Rajasekharan submits that he was clearly not a party to such a revocation and appointment and in no such way executed any document, either solely or jointly with Ms. Kovesdi, revoking his appointment of Coddington *et al.* and appointing the representatives at Pennie & Edmonds LLP. In view of at least the September 17, 2002 Decision and MPEP § 402.10, Ms. Kovesdi by herself may not revoke Mr. Rajasekharan's Power of Attorney submitted August 23, 2002, appointing Coddington *et al.* as his representatives.

Mr. Rajasekharan respectfully requests that the PTO:

- (1) inform the Examiners that Coddington *et al.* are his properly appointed representatives and of the corresponding requirements of dual party representation as set forth under MPEP § 402.10;
- (2) require that all further correspondence to the PTO be signed by both a representative of Mr. Rajasekharan and a representative of Ms. Kovesdi in accordance with MPEP § 402.10;
- (3) notify Mr. Rajasekharan that the PTO correctly recognizes Coddington *et al.* as his properly appointed representatives and not anyone affiliated with Pennie & Edmonds LLP; and

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<sup>1</sup> Trevor Coddington and Rodger Tate are now with Hunton & Williams LLP.

(4) provide to Mr. Rajasekharan's representatives a copy of any papers in the instant application that Mr. Rajasekharan and his representatives have not been made privy to since and including Ms. Kovesdi's submission revoking Gary Jarosik and appointing Pennie & Edmonds LLP as her representatives.

No fee is believed to be necessary for the PTO's consideration of this Request. In the event that the U.S. Patent and Trademark Office considers this Request a Petition under 37 C.F.R. § 1.182, Mr. Rajasekharan submits that no petition fee is required because the reason for filing such a Request/Petition is due to PTO mistake. Nonetheless, if a fee is otherwise deemed necessary by the PTO, please charge such fee to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

Dated: May 8, 2003

By:



Trevor Coddington, Patent Agent

Registration No. 46,633

(Representative of Mr. Ajit Rajasekharan)

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